

1
2 **MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING**

3 25 October 2004
4

5 **PRESENT:** Cynthia A. Herman, Chairman
6 Gary L. Daniels, Vice Chairman
7 Noreen A. O'Connell, Member
8 Leonard D. Mannino, Member
9 Lawrence D. Pickett, Member
10 Katherine E.L. Chambers, Town Administrator
11 Darlene J. Bouffard, Recording Secretary
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13

14 **1.CALL TO ORDER:** Chairman Herman called the meeting to order at 5:29 p.m.
15

16 **2.MINUTES:** The minutes of the October 18, 2004 meeting were presented to Chairman Herman for review. Se-
17 lectman Mannino moved to approve the minutes of October 18, 2004 as presented. Selectman O'Connell seconded.
18 All were in favor.
19

20 **3. REPORTS OF BOARDS & SPECIAL COMMITTEES:**
21

22 **-Ambulance Billing Write-Off Committee.** There is nothing new to report.
23

24 **-Ambulance Study Committee.** There is nothing new to report.
25

26 **-Board of Selectman Goals.** There is nothing new to report.
27

28 **-Conservation Commission.** There is nothing new to report.
29

30 **-DO-IT Committee.** There is nothing new to report.
31

32 **-Facilities Committee.** There is nothing new to report.
33

34 **-Fletcher Cap Committee.** There is nothing new to report.
35

36 **-Heritage Commission.** There is nothing new to report.
37

38 **-Impact Fee Committee.** There is nothing new to report.
39

40 **-Joint Loss Management Committee.** There is nothing new to report.
41

42 **-Library Trustees.** There is nothing new to report.
43

44 **-MACC Base.** There is nothing new to report.
45

46 **-Manifest.** There is nothing new to report.
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48 **-MIDC.** There is nothing new to report.
49

50 **-NH School Health Care.** There is nothing new to report
51

52 **-NRPC.** There is nothing new to report.
53

54 **-PEG Access Committee.** Vice Chairman Daniels spoke with the PEG Access Committee who asked if the \$27,000
55 authorized by the Board of Selectmen will be available so the work can be started. Town Administrator Chambers
56 explained the \$27,000 is being taken from franchise fees, to which Chairman Herman noted there will be no impact
57 to this year's fees. Vice Chairman Daniels asked how PEG Access can start anything on January 1 without the funds.

MINUTES OF BOARD OF SELECTMEN MEETING - 10/25/2004

Vice Chairman Daniels understood the funds were for equipment in order to get started. Town Administrator Chambers explained the \$54,400 would be for equipment. Vice Chairman Daniels asked if that \$54,400 is available now. Town Administrator Chambers said it is, but that is only for equipment, not for wages or operating costs. However, before any money is to be spent, all the policies, procedures and job descriptions need to be provided to the Board of Selectmen.

-Personnel Committee. There is nothing new to report.

-Planning Board. There is nothing new to report.

-Police Station Building Committee. There is nothing new to report.

-Recreation Commission. There is nothing new to report.

-Recycling/Solid Waste Committee. There is nothing new to report.

-Regional Water District. There is nothing new to report.

-School Board. There is nothing new to report.

-Volunteer Committee. There is nothing new to report.

-Water/Sewer District Committee. Chairman Herman explained the Water/Sewer District Committee has met with the water district of Wilton and talked about interconnectivity between the towns for water. The committee is looking to get a clear understanding of the process if they are to submit a petition to create the district. There needs to be a petition of registered voters brought to the Board of Selectmen, who would define the district. Town Administrator Chambers explained the Board of Selectmen then needs to have a meeting including a public hearing and deliberative session with notices and postings. A checklist needs to be developed. At that meeting a vote would be taken to create the village district, name the district, and appoint officers who would oversee the district until they can hold the first annual meeting. The annual meeting needs to be held between January 1 and May 1. Town Administrator Chambers still needs to verify all the details. If a petition is received before the regular Town Meeting, it would preclude talking about it at Town Meeting. Once the petition is received there would be no reason discuss it at Town Meeting. But if a decision is made, said Chairman Herman, it would happen with a vote. Town Administrator Chambers agreed, but it would just be the people in the district, which is different from all the people at Town Meeting. Vice Chairman Daniels asked how the district is determined. Town Administrator Chambers indicated the Board of Selectmen determine that and can change the district if a new development comes into town. Town Administrator Chambers suggested if the committee wants to have Bill Drescher meet with them to hear the concerns, it might be a good idea. Joe Stella asked if a petition were signed by 10 people, can that start this whole process and still end up with a no-vote. Town Administrator Chambers said that is correct, and there would be costs associated with that.

-Zoning Board. There is nothing new to report.

4. APPOINTMENTS:

5:30 p.m. - DPW and Water & Sewer Warrant Articles Discussion. Bill Ruoff, DPW Director, indicated that Tom Neforas, Assistant DPW Director, and Larry Anderson, WWTF Director, were in attendance to answer any questions regarding the Warrant Articles being requested for 2005. Tom Neforas, Assistant DPW Director, explained that three Warrant Articles were submitted to the Board of Selectmen for review as follows:

- 1-Holland Water Tank, \$1.8 million - for storage capacity/fire storage
- 2-Water main improvements at Cottage/Garden Streets - to enhance the water supply, \$320,000
- 3-Mayflower Water Tank rehab, \$175,000 - this was recommended by DES, Dufresne/Henry and by the tank inspection team

MINUTES OF BOARD OF SELECTMEN MEETING - 10/25/2004

Chairman Herman asked for information on Wilton and the potential for a joint effort with water storage. Tom Neforas and Larry Anderson met with the Wilton people last week and right now there is no intent of sharing a water tank. The interconnectivity of the two towns is still a possibility. Wilton would benefit from the interconnectivity more than Milford. Rene LaBranch, of Dufresne/Henry, has discussed the combined shared tank with Wilton and feels a tank shared with Wilton, having to pump 5000 feet away would not be efficient. The storage tank on the west side of Milford would benefit Wilton. The Dram Cup storage tank is there now and would be used for that interconnectivity. Also, to maintain pressure, Mr. LaBranch indicated the Holland tank would help. Emergency reserve is another reason for the tanks - the town needs storage in the system and for future growth in the Town. In 2001 the Master Plan identified that there would be a need for additional water storage. At that time it was noted there was a deficit of 1.1 million gallons of water and the Town needed additional storage. Selectman Pickett asked if that deficit is on a daily basis. Mr. LaBranch responded in the year 2020 that deficit would be realized. The Town has had inspections by DES on water systems and in the 2003 and 1995 reports, both cited the need for water storage for the Town. Larry Anderson noted he has that information on file. Tom Neforas believes the Town is in a deficit for emergency water supply. If the well went down and Pennichuck was not able to provide water, there is not enough storage for a 24-hour supply. Mr. LaBranch suggested a new tank on Prospect Hill was discussed but the land deal fell through. The existing tank is still in use and will continue until 2020. The Holland Tank project was bid in January 2004 and the lowest bid came in at \$1.3 million and Dufresne/Henry feels that is a good price. The bidder will hold that price until the Town meeting in 2005.

Chairman Herman asked about the additional \$500,000 on the Warrant (which is \$1.8 million). Mr. LaBranch replied that the Warrant cost includes a contingency plan, radio terminal units and construction costs. Selectman Pickett asked if it was taken into consideration that the Prospect Hill tank would not be used after 2020 and the Town will have a deficit of 1.1 million gallons at that time. Selectman Pickett believes the Prospect Hill tank will be kept in service until it is no longer usable. Selectman O'Connell does not remember questioning any data that was provided. Regarding the warrant, Selectman O'Connell thought there was a gentleman's agreement with the school that they held off putting the school on the Warrant last year and that the Town would hold off anything major this year so the school would be the major item on the ballot. If this is making the Town unsafe, that is different, but the Town is trying to balance some major warrants that are needed. Chairman Herman understood there were still a couple of years to get this tank through and now she is hearing that it may need to be done prior to that timeframe. This tank will take the Town out to 2021 and the Town has been operating with the water deficit since 2001. Larry Anderson added this is 2004 and if the Holland Tank is pushed out further, there will be other issues that need to be dealt with - we will compress other upgrades into the same timeframe at some point. Tom Neforas agreed that the capital improvements can be taken care of over time, but if something is put off it will cost more in the future. Town Administrator Chambers said this is a bond warrant and is a candidate for the general taxpayer to pay for the bond, but it could also be paid for from the water fund. A project of this scope has been paid for out of the general fund in the past. Selectman Pickett asked why the Mayflower project has moved up in priority. Larry Anderson explained it was looked at this year and the report recommended it to be replaced within 24 months. Selectman Mannino noted in the historical data, the average demand per day is higher in 1979 than it is now with the increase in population and asked why that is. Larry Anderson responded that the data kept now is more accurate than it was in 1979 when everything was done by hand. With an increase in population, Tom Neforas noted those people may not all be on public water so it may not impact as much as one might think.

Mr. LaBranch of Dufresne/Henry, said the improvements on Cottage/Garden street include putting in a larger main and is one step in the plan to improve the system and have it work better. Bill Ruoff, DPW Director, feels the water issues are extremely important and he cannot stress enough that the Holland Tank needs to be done. If the other two projects get held off, then so be it, but this is a super price on the water tank and the Town needs the capacity. Bill Ruoff would really be disappointed if, after doing a 10-year plan and getting a great price, this warrant were removed. Since this tank was bid, all the materials prices have gone through the roof. If the Town were to bid out the same job today, just based on the price of materials and labor the price would come in higher. The \$1.8 million is part of the rate structure. Chairman Herman asked if the water users are paying for it now whether or not a warrant for a new tank is on the ballot. Chairman Herman said if this is a Warrant Article as a bond, the water users would be double paying. Town Administrator Chambers said, in a sense, that is possible. There are other things that are in the CIP that the funds could be used for. Selectman O'Connell asked if the user fee money is going into the reserve fund, to which Town Administrator Chambers responded it is going into the surplus to pay for future capital projects. Selectman O'Connell asked if the Holland Tank is bonded, would it be for the total amount less the amount put aside by the users. Town Administrator Chambers said that is not correct.

MINUTES OF BOARD OF SELECTMEN MEETING - 10/25/2004

1 **6:00 p.m. - Opening of Sealed Fuel Oil Bids.** Vice Chairman Daniels opened the sealed fuel bids, announcing the
2 following information.

3 Lorden Oil

4 \$1.5895/gallon

5 \$0.12/gallon profit & transportation

6 \$1.7095/gallon net cost

7
8 Draper - Mobil Oil

9 \$1.5885/gallon

10 \$0.0705/gallon profit & transportation

11 \$1.659/gallon net cost

12
13 Fuller Oil - Exxon

14 \$155.650 per 100 gallons/base price

15 \$.075 transportation

16 \$163.150 per 100 gallons net cost

17
18 Town Administrator Chambers recommended the Board forward the information to DPW Director to make a rec-
19 ommendation on the award at the next Board of Selectmen meeting.

20
21 Selectman O'Connell moved to forward the bids to the DPW Director for consideration and recommendation. Se-
22 lectman Mannino seconded for discussion. Selectman O'Connell asked why the bidding is being done in October
23 and not August. Bill Ruoff said it has always been done at this time of year but he could put requests out in July next
24 year. All were in favor of the motion.

25
26 Town Administrator Chambers asked Bill Ruoff for input on the Warrant Articles for DPW that will be discussed
27 this evening. Bill Ruoff indicated that the snow blower was recommended by the CIP Committee, not by him. Bill
28 Ruoff requested the dump truck and sweeper, and he would rather keep the dump truck on the warrant because the
29 current truck is 17 years old.

30
31 **6:15 p.m. - Discussion of Encroachment on Town Land/Rail-Trail Property.** Laurie Perreault, Attorney for Mr.
32 & Mrs. Mack, indicated there have been extensive conversations regarding this issue. She indicated that building
33 permits were issued for both structures and the Mack's have used the property for over 23 years believing it was their
34 own. Also, the wording in the deed was misleading. Ms. Perreault explained the placement of the barn being built
35 was inadvertently placed on Town property and was not a deliberate act. Further, she had hoped the granting of an
36 easement on her client's property would solve the issue but that agreement was not accepted by the Board of Select-
37 men and this may qualify under theory of adverse possession. Chairman Herman asked if the Mack's believe that
38 because a mistake was made the Town should give this property to them. Ms. Perreault disagreed. Chairman Her-
39 man asked if this is inappropriate for a land swap. Ms. Perreault said a land swap would affect the current land use
40 status. Town Administrator Chambers understands that the theory of adverse possession does not apply to govern-
41 ment entities. The Conservation Commission explained that because of the layout of the land it would not affect the
42 valuation of the property. Selectman Pickett would like more information on the change and would like to see the
43 comparison of land sizes before any decision is made. Selectman O'Connell has talked with Diane Fitzpatrick about
44 this and by putting a restrictive easement on the 4 acres it would preserve it and go forward into perpetuity so any
45 future owner would be restricted from using that land. Selectman O'Connell is comfortable with a restrictive ease-
46 ment on the property that would be deeded so future owners would also be restricted with it. Vice Chairman Daniels
47 asked if Bill Drescher has provided any written information and does the Board know what it would cost if the cur-
48 rent use status were changed? Town Administrator Chambers responded that the Assessor will not give the Town a
49 written recommendation, but would only give a general idea. No further action was taken.

50
51
52 **6:30 p.m. - Discussion of Fire Department Training Budget.** Chief Pauley, Fire Chief, provided information on
53 the amount of time per week spent by the Training Officer on training. Chairman Herman asked how much training
54 is provided by the Training Officer during the daytime hours. Chief Pauley answered that daily training for indi-
55 viduals coming in for training is provided by appointment or is coordinated by the Training Officer, and that infor-
56 mation is provided to the community. Chairman Herman asked if 26 hours per week is spent on training activities.
57 Chief Pauley replied that 26 hours per week is the low end. Vice Chairman Daniels indicated in the previous pres-

MINUTES OF BOARD OF SELECTMEN MEETING - 10/25/2004

entation there were costs associated with the training and he would like that information. Chief Pauley explained there are two areas of training, done four or five times per month, that are not included in the monthly hours. The Level 1 course is usually done with people who are new to the Fire Department and they go from one department to another through the mutual aid system to learn different modules. By doing it this way, the new person gets to see different departments and different equipment. Vice Chairman Daniels noted the Training Officer is not available at night for training because he is on duty during the day and asked what his primary responsibilities are - to train or to provide fire call coverage during the day? Chief Pauley explained this officer is an emergency responder and he is also the training officer. The advantage of this position is that the person can handle a number of issues with training and maximize use of the position. In 2002 when this position was created, the main idea was to maximize the position. This is cost effective and efficient for the department.

Selectman Pickett asked if the two rescue trainings a month were potential trainings or if the training officer actually attended both? Chief Pauley said he attended both. Selectman Pickett asked if the training officer gets overtime for that training at night because he works during the day. Chief Pauley answered that he does get overtime for that, however he tries to work it out for people to come in during the workday. Since this position was filled, the people recruited during the weekdays have come in during a regular workday. Chairman Herman asked if this position is being utilized to the max in the 2005 budget. Chief Pauley responded that it is and that the training line item was laid out to be flexible. Vice Chairman Daniels noted the overtime budget is estimated to be over budget - how much can be attributed to the Training Officer overtime? Chief Pauley said as of October 1, 2004, the Training Officer has received about \$3400 in overtime for this year. The two eligible overtime positions run about \$4000 per year. The people who are full time fire personnel are paid 40 hours but the on-call people get time and a half after 40 hours of Town pay (for town employees). Gil Archambault reminded the Board that the Fire Department has a Training Officer who does approximately \$6000 per year on preventative maintenance on the vehicles. This Town has the lowest budget in the area and the Town is getting away cheap. Sometimes there are two fires at the same time and for \$365,000 per year as compared with other towns that is nothing. The Training Officer provides training to all firefighters. There are three full time people in the Fire Department and people should not grumble for paying a little overtime in a year. Mr. Archambault asked for the Board of Selectmen to reconsider.

7:15 p.m. - 31:95 Public Hearing - Listing of Unanticipated Funds. The public hearing was called to order at 7:17 p.m. in order for the Board of Selectmen to present the listing of unanticipated funds as follows:

\$ 3,500.00	Host Homes Program - Contribution from the Town of Amherst
\$ 15,000.00	Host Homes Program Grant - Hillsborough County Funding for the funding period of July 1, 2004 through June 30, 2005. Program will establish safe homes for children temporarily experiencing difficult home situations.
\$ 500.00	Milford Mediation - Contribution from the Town of Temple
\$ 17,000.00	Milford Area Mediation Grant - Hillsborough County Funding for the funding period of July 1, 2004 through June 30, 2005. Program provides free family mediation services to troubled families in the participating towns.
\$ 38,435.87	*Negotiated Contributions - Osgood Road Improvements. These funds are specifically for Osgood Road Improvements as required by the Badger Hill Contribution Agreement.
\$ 31,969.60	FY03 Homeland Security Grant - State of NH Department of Safety. Funding for homeland security equipment for the ambulance and fire departments. No local match is required.
\$ 394.75	Federal Grant - NH Highway Safety Project #300-04A-122. Funding for overtime DWI saturation enforcement patrols conducted during the August 6-7, 2004 time period. No local match is required.
\$ 82,500.00	FEMA - Assistance to Firefighters Grant - Federal Grant #EMW-2003-FG-08589. Funding for the purchase of replacement protective clothing and wall mounted gear lockers for the Fire Department. A local match of \$8,250 is required. Match to be funded by the 2004 Fire Department budget.

Chairman Herman asked for public comment and received none. The public hearing was closed at 7:21 p.m. Vice Chairman Daniels moved to accept the unanticipated funds. Selectman O'Connell seconded. All were in favor.

7:20 p.m. - Discussion of 2005 Warrant Articles and Budget. Town Administrator Chambers passed out copies of the 2005 Warrant Article requests to the budget committee members who were present.

MINUTES OF BOARD OF SELECTMEN MEETING - 10/25/2004

1
2 Holland Tank: Chairman Herman noted that the Holland Tank is on the list as a bond, but that might not be so. It
3 might be paid for through the water users. Rose Evans noted the water tank was included in the existing rate struc-
4 ture through 2006. Selectman Pickett noted that the current water users are already paying for the tank in the water
5 rate - they are paying for something that has not been installed yet. Chairman Herman agreed and did not realize the
6 increase was already implemented into the water rates. Town Administrator Chambers explained this would typi-
7 cally be a bond paid for by the taxpayers because it provides back up water and back up protection for the entire
8 town, those are the type of projects that have been paid for with general taxation. Selectman Mannino suggested if
9 this purchase was to be paid for by bond, why is it that the rate-payers have had an increase for this? Town Adminis-
10 trator Chambers said the increase covers things such as this and also covers increasing operating costs. When the
11 report was done, the tank was identified to be paid for through the rates. Selectman Mannino asked if the tank is
12 paid for through a bond, will the rate payers get a rebate? Town Administrator Chambers said probably not, but the
13 rate will need to be looked at again. The projected expenses were taken into account. Selectman O'Connell was also
14 thinking if this is switched to a bond, those rate-payers will pay twice - will those people who have already paid their
15 share have to pay again? Can other tax-payers pick up something to cover those costs that have already been paid by
16 water users? Town Administrator Chambers responded there are other capital improvements coming down the line
17 that those rates will pay for.

18
19 Bob Courage indicated there was a water report done in the 1990's of the system that pointed out a long-range plan-
20 ning study out to 2020. The tank was not in that report. There was nothing in the report about Cottage/Garden
21 streets and he feels this proposal is for the police station, but there are other (cheaper) options that could be done for
22 that. This should be looked into. Town Administrator Chambers indicated DPW is looking into the concerns of Mr.
23 Courage. Vice Chairman Daniels asked when the water rates were last increased and when is the next increase?
24 Rose Evans said the water rates were increased in 2003 and will probably be looked at again in 2006. Vice Chair-
25 man Daniels moved to wait on the decision on the Holland Tank until further information is collected. Selectman
26 O'Connell seconded. Town Administrator Chambers asked if she could get permission to contact Dufresne-Henry in
27 order to get information regarding splitting the cost between general taxation and the water users. Vice Chairman
28 Daniels moved to authorize Town Administrator Chambers to contact Dufresne-Henry regarding splitting the cost of
29 the Holland Tank, at a cost not to exceed \$5,000. Selectman Pickett seconded. Selectman O'Connell, Chairman
30 Herman, Vice Chairman Daniels and Selectman Pickett were in favor. Selectman Mannino was opposed. Impact
31 fees were discussed and it was agreed that Tom Neforas, Larry Anderson and Town Administrator Chambers would
32 work on impact fee estimates for the next Board of Selectmen meeting. Selectman O'Connell is comfortable support-
33 ing the water tank this year.

34
35 Land Purchase: Chairman Herman tentatively agreed with the landowner on a price of \$2,300,000 for the property.
36 The developer's plan is to build 115 houses on the land and this purchase will preclude that development, in addition
37 to other developments in the area. The Board of Selectmen determined that this article is worth it to the Town in the
38 long term. Joe Stella asked why the town has to issue permits for 115 houses. Chairman Herman said if the devel-
39 oper conforms to the town ordinance, the town cannot stop it from being developed. Selectman O'Connell indicated
40 by not having this development go through, the road will be maintained as a dead end and will slow other develop-
41 ment. Joe Stella asked if that can be accomplished without buying the entire parcel. Chairman Herman does not
42 believe that is an option and this must be done within a timeline. Bill Parker added that the owner of this property
43 was not interested in selling a conservation easement at all. Joe Stella asked what the town will do with the property
44 if it is bought. Chairman Herman said hopefully it will just be conservation land; this is the deepest forest the town
45 has and connects with Mason and Brookline. DeeDee Carter added that these houses will be 3, 4 and 5 bedrooms,
46 which will impact the schools. Bill Parker also noted that if this parcel becomes developed, there are another 100 to
47 200 homes that will come through in addition to these 115 homes. Vice Chairman Daniels indicated he was con-
48 cerned about this warrant competing against the school addition. Chairman Herman said this needs to be put out
49 there as an option. The timing is not good but it is here, the town needs to decide. Selectman O'Connell moved to
50 place the \$2.3 million land purchase warrant on the ballot for the land purchase on Mile Slip Road. Selectman
51 Mannino seconded. Chairman Herman, Selectman O'Connell and Selectman Mannino were in favor. Selectman
52 Pickett and Vice Chairman Daniels opposed. Motion passed 3-2.

53
54 Kaley Park: The numbers provided are the Meridian numbers that were updated. Town Administrator Chambers is
55 unsure if this should be bonded or put on the tax rate. Bill Parker explained this phase is to develop one field, a
56 parking area, access road, storage building, fencing, and utilities, but does not include a turning lane.

MINUTES OF BOARD OF SELECTMEN MEETING - 10/25/2004

1 2005 Dump Truck: Joe Stella noted Bill Ruoff really needs this truck. Selectman Pickett moved to support the
2 dump truck with plow. Selectman O'Connell seconded. All were in favor.

3
4 Snow Blower: Town Administrator Chambers said this is from the CIP, but Bill Ruoff wants to hold off until next
5 year.

6
7 Engine 3: Chairman Herman's concern is that a brand new truck was just bought and has so many problems, it is off
8 the road more than the old trucks.

9
10 Library Hours: Selectman O'Connell would like the hours returned; meeting rooms are always short in town. The
11 library is very busy, especially Saturday mornings. In other towns of our size, there are more hours available. Se-
12 lectman O'Connell moved that the hours be restored. Selectman Mannino seconded. Selectman O'Connell, Select-
13 man Mannino and Selectman Pickett in favor. Vice Chairman Daniels and Chairman Herman were opposed. Motion
14 passed 3-2.

15
16 Veteran's Exemption: It was agreed that more information was needed. Rose Evans noted this is a tax credit not an
17 exemption. This must be a veteran who served in combat.

18
19 Conservation Land Fund: The land purchase is being pushed, so this needs to come off the warrant.

20
21 Police Facility Interest: Town Administrator Chambers explained the funds are collecting interest that can only be
22 used on paying back the principal on the debt. She asked for Board consideration to put a warrant article in order for
23 the interest to be used for paying for the building, not only the principal. The budget is extremely tight and the inter-
24 est (about \$60,000) being made available could be used to fund the project as well. Vice Chairman Daniels feels
25 that would open up a lengthy discussion at the deliberative session. Selectman Pickett asked if that would require a
26 60% vote or a majority. Town Administrator Chambers said it would require a majority. Selectman Mannino agreed
27 with Vice Chairman Daniels. Selectman Pickett moved to not put this on the warrant. Vice Chairman Daniels sec-
28 onded. Vice Chairman Daniels, Selectman Pickett, Selectman Mannino, and Chairman Herman were in favor. Se-
29 lectman O'Connell opposed. Motion passed 4-1.

30 31 **Budget Items outstanding**

32
33 MAPP/COMPASS: The town has no choice with MAPP; Milford will be required by the State to do this and it will
34 cost \$1,977. There was discussion regarding the number of workstations. Vice Chairman Daniels suggested writing
35 a letter to our legislatures about this unfunded mandate to see why the state should not pay for it. Selectman O'Con-
36 nell moved to add \$1,977 to the budget for MAPP. Selectman Pickett seconded. Selectman O'Connell, Selectman
37 Pickett and Chairman Herman were in favor. Selectman Mannino and Vice Chairman Daniels opposed. Motion
38 passed 3-2. Chairman Herman feels the MAPP costs need to be in the default budget. Selectman O'Connell moved
39 to put the MAPP portion of the costs into the default budget. There was no second.

40
41 Forestry 1 Replacement: Selectman Pickett noted that information was requested on this in March and has not yet
42 been provided. This was tabled.

43
44 Ambulance Upgrade: Vice Chairman Daniels asked what happens to this upgraded unit if the ambulance is privat-
45 ized. No answer was available. Vice Chairman Daniels moved to table. Selectman Mannino seconded. All were in
46 favor.

47
48 Library Promotion: Selectman Pickett asked why a 6% increase in pay was given, which is not in conformance with
49 Town policy. Town Administrator Chambers is to find out that information. Vice Chairman Daniels moved to table.
50 Selectman Pickett seconded. All were in favor.

51
52 Fire Training Budget: This is for 5 new weekday call positions. Selectman O'Connell moved to accept the change to
53 the fire training budget in the amount of \$1,125. Selectman Mannino seconded. Selectman O'Connell and Select-
54 man Mannino were in favor. Selectman Pickett, Vice Chairman Daniels opposed. Motion failed on a tie vote.

55
56 Fuel Tank: The town fuel tank failed a test and is not used because it does not meet the new requirements. Currently
57 looking at what needs to be done to satisfy the requirements, or looking at changing to natural gas.

MINUTES OF BOARD OF SELECTMEN MEETING – 10/25/2004

Non-Union Wages: This is up to the Board. Rose Evans factored in 10% in contributions for medical benefits for non-union employees effective July 1. Cost of living in July was at 3.3%. No action was taken.

5. UNFINISHED BUSINESS:

-Request for Acceptance of a Conservation Easement - Hampshire Hills. Awaiting final easement.

-Consideration of Joint Loss Management Committee's Recommendations. Awaiting Bill Ruoff and Bill McKinney response.

-Recommendations for Traffic Safety Concerns - Dearborn, Ruonala, Middle & West Streets and Nashua Street Traffic Study Consideration. Awaiting October 27, 2004, Traffic Safety Committee Meeting Recommendation.

-Status of Osgood Pond. Town Administrator Chambers indicated a document was received for signature but that she had not had time to look at it yet.

-Non-Public Session (RSA 91-A:3) - Union Negotiations. Upon motion made by Vice Chairman Daniels at 10:27 and seconded by Selectman O'Connell, the Board went into non-public session to discuss union negotiations. All members were polled individually and assented to go into non-public session. After discussion, Vice Chairman Daniels moved to come out of non-public session at 11:02. Selectman O'Connell seconded. All members were in favor. There were no announcements.

6. NEW BUSINESS.

-Presentation of Letters RE: NRPC & PUC. Letters have been drafted to NRPC and the PUC regarding the positions taken by them at various meetings when representing different communities. Chairman Herman explained the letters would be reviewed tonight and signed if everything is all set with Board of Selectmen members.

-Request for Authorization to Pursue 2005 Local Source Water Protection Grant. Tom Neforas, Assistant Director of Public Works, has requested authority to submit an application for the Source Water Protection Grant. Vice Chairman Daniels moved to authorize for discussion. Selectman O'Connell seconded. Vice Chairman Daniels asked if this requires a match. Town Administrator Chambers said it does not. All were in favor of the motion.

-United States Department of the Interior Request. The US Department of Interior has requested permission to collect and analyze a water sample for the water-supply well(s) in order to test for MTBE in the State. Town Administrator Chambers said this was done before and MTBE was not found. She spoke with Tom Neforas who feels it would be good to participate. Selectman O'Connell asked if this would provide good information for the Water District Commission. Chairman Herman is unsure if it will provide information for them. Selectman Pickett asked about the 10-day dateline indicated in the letter, to which Town Administrator Chambers said the letter was not received on September 30, but was received more recently. Vice Chairman Daniels moved to grant permission to the US Department of the Interior to do the survey to collect samples from the well(s). Selectman O'Connell seconded. All were in favor.

-Request to Augment Heron Pond Elementary School Athletic Fields with BROX Property Materials. The MCAA has requested approval for a materials swap (screened loam) to improve field conditions at Heron Pond School. Bill McKinney explained that this is what was previously discussed and it seems too good to be true. The material is in the way and needs to be moved for the developer. It is a cost savings for the developer but it also benefits the school and will be great for the Heron Pond fields. Vice Chairman Daniels moved to authorize the material swap as requested. Selectman O'Connell seconded. All were in favor.

-Request for Budget Transfer. Police Chief Douglas advised the Board of Selectmen of over expenditures and other areas of concern in the 2004 budget to date as follows:

MINUTES OF BOARD OF SELECTMEN MEETING - 10/25/2004

1 12002-512210 Wages/PT Temp-Special Duty - already over budget
2 12002-512211 Wages/PT Personnel-Admin - anticipate over expenditure
3 12002-512216 Wages/PT Temp-Matron Duty - anticipate over expenditure
4 12002-514204 Wages/OT-Patrol - anticipate over expenditure
5 12002-541100 Propane - already over budget
6 12002-541300 Sewer - anticipate over expenditure
7 12002-553130 Telephone - Cellular - already over budget
8

9 Chief Douglas anticipates the over expenditures will be transferred from the Salary/Wage line item 12002-511201.
10 Selectman O'Connell moved to allow the re-allocation of funds as presented. Selectman Pickett seconded. All were
11 in favor. Town Administrator Chambers indicated the form for signature will be in member boxes once it is com-
12 pleted.
13

14 **-Keyes Field Pool House Construction Project Update.** Town Administrator Chambers explained the pool house
15 improvements are moving along very slowly. A list was made up at the end of August of what needs to be done.
16 There were some things that everyone observed and some items that had not yet been taken care of. Now it is No-
17 vember and there is also nobody available to get this done. Town Administrator Chambers asked if she could hire
18 someone to oversee the work required. She would like to use some funds to hire someone part time to do this for the
19 Town. It would be difficult to get these items done with staff being responsible. There is about \$42,000 available to
20 get this done and Town Administrator Chambers feels hiring someone at \$15 per hour for approximately 10 hours
21 per week would get this done. Some of the items to be completed are sealing and painting the floors, some lighting,
22 some electrical work, a sink in the staff room, some tiling and phone lines. She anticipates this person would get the
23 bids and oversee the project. Local vendors could be approached to get some supplies donated. Selectman Pickett
24 asked if this will be a recurring item. Town Administrator Chambers said if this is a warrant article it needs to be
25 identified whether it is recurring. Keep in mind also, that there should be someone overseeing all of the Town build-
26 ings, whether or not that is DPW is yet to be determined. A full time custodian will be needed for the Police Station.
27 Selectman Pickett asked if Kaley Park improvements will come under the parks & cemeteries line item. Town Ad-
28 ministrator Chambers responded that needs to come under parks but a person is needed to manage it - we cannot do
29 it with the current staff. Vice Chairman Daniels asked if this was included in the last warrant. Selectman O'Connell
30 said it was not; the pool house plan was done very basic. Because there is currently no Recreation Director, Chair-
31 man Herman indicated there is money available to oversee the finish work at the pool house. Selectman O'Connell
32 added that getting the project done is one issue, but there are also safety concerns requiring it to be done. Town
33 Administrator Chambers was thinking of using the warrant article because there is plenty of money and this needs to
34 be done by the spring. Selectman O'Connell moved to hire someone to oversee the completion of the Keyes Pool
35 House construction. Vice Chairman Daniels seconded. All were in favor.
36

37 **-Request for Fee Implementation.** The Milford Area Mediation Program has requested Board of Selectmen ap-
38 proval to begin implementing a one-time \$25 processing charge for each family or group, to offset the decreasing
39 funds provided by Hillsborough County. Selectman O'Connell moved to allow the one-time \$25 processing charge
40 for each family or group per year. Selectman Mannino seconded. All were in favor.
41

42 **-Request for New Board of Selectmen Policy Regarding Exit Interviews.** Ruth Bolduc, HR Director, has re-
43 quested Board of Selectmen approval on a new policy on exit interviews. All members of the Personnel Committee
44 have reviewed and approved the new policy. Town Administrator Chambers explained that this new policy will give
45 the employees the opportunity to provide comments on their exit prior to Board of Selectmen review of the inter-
46 view. Vice Chairman Daniels asked if the person leaving requests that the form not go to the Department Head (be-
47 cause of references) if that will be taken into consideration? Town Administrator Chambers said the forms will go
48 through Human Resources, the Town Administrator, the Board of Selectmen and the Department Head. She also
49 noted that the reference comes from Human Resources. Selectman O'Connell moved to accept the policy. Vice
50 Chairman Daniels seconded. All were in favor.
51

52 **-Request for an Amendment to the Family and Medical Leaves of Absence Policy.** Ruth Bolduc, HR Director,
53 has requested Board of Selectmen approval on an amendment to the Family and Medical Leaves of Absence Policy.
54 Vice Chairman Daniels moved to accept the amendment. Selectman O'Connell seconded. All were in favor. Se-
55 lectman O'Connell asked if there is currently a light duty policy in place. Town Administrator Chambers responded
56 that there is.
57

MINUTES OF BOARD OF SELECTMEN MEETING - 10/25/2004

-Request to Rescind Town "Ordinance" Chapter 6.40 - Towing. Town Administrator Chambers saw this ordinance in the code book. It's a policy, not a law, and does not belong in the code book. This should be removed. A new towing policy has just been approved to go into affect January 1, 2005. Vice Chairman Daniels moved to rescind Chapter 6.40 of the ordinance on towing. Selectman O'Connell seconded. All were in favor.

-Petition from Verizon and PSNH for Pole Licenses. Selectman O'Connell moved to grant permission for Verizon and PSNH to install and maintain pole and structures at Foster Road. Vice Chairman Daniels seconded. All were in favor.

-Reaffirmation of Q3 Manifest for FY2004. The Q3 Manifest for FY2004 was presented to the Board of Selectmen for reaffirmation. Vice Chairman Daniels moved to approve. Selectman O'Connell seconded. All were in favor of the manifest as summarized below:

	A/P VENDOR WARRANTS	PAYROLL CHECKS	PAYROLL DIRECT DEPOSITS	PAYROLL TAXES	ESCROW TRANSFERS
JULY 2004	\$3,242,000.86	\$173,050.64	\$191,588.12	\$86,133.44	\$0.00
AUG 2004	\$2,039,528.76	\$139,115.55	\$149,517.98	\$84,892.46	\$184,979.23
SEPT 2004	\$1,692,845.10	\$133,197.38	\$147,775.11	\$104,890.90	\$ 8,425.48
Q3-2004 Totals	\$6,974,374.72	\$445,363.57	\$488,881.21	\$275,916.80	\$193,404.71

-Acceptance of Timber Tax Levy (1). Upon motion made by Vice Chairman Daniels and seconded by Selectman O'Connell, it was unanimously approved to accept the Timber Tax Levy in the amount of \$657.82.

7. ITEMS NOT ON THE AGENDA.

Veterans Day Parade. On a motion by Vice-Chairman Daniels and seconded by Selectman O'Connell, it was voted in the affirmative to approve a parade permit to the VFW for a Veterans Day Parade on Thursday, November 11, 2004.

8. INFORMATION ITEMS.

9. ANNOUNCEMENTS.

-Next BOS Meeting. The next regular meeting of the Board of Selectmen will be Monday, 8 November 2004, at 5:30 p.m.

There being no further business to come before this Meeting, the Board adjourned at 11:03 p.m.

Chairman

Vice Chairman